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International covenant
on civil and
political rights

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HUMAN RIGHTS COMMITTEE

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT

Third periodic reports of States parties due in 1991

JAPAN

Corrigendum*

Paragraph 8 (b), line 2

For Bureau read Bureaux

Paragraph 8 (c), line 3

For leased land read leased lands

Paragraph 16, line 5

For of infringed read are infringed

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* The present document contains corrections to the third periodic report of Japan (CCPR/C/70/Add.1) submitted by note verbale of the Permanent Mission of Japan dated 29 September 1993.

GE.93-18693 (E)

Paragraph 18

The last sentence should read

In these cases, the courts shall judge whether such laws, regulations or official acts violate the fundamental human rights guaranteed by the Constitution or ICCPR only if it is necessary to resolve the case.

Paragraph 19, last line

For Administrative Complaints Review Law read (Administrative Complaints Investigation Law)

Paragraph 21, line 4

For ordinary and immediate read ordinary Kokoku and immediate Kokoku.

Paragraph 31, line 12

For contributes read contributed.

Paragraph 34, line 3

Insert the before West Bank.

Paragraph 39 bis

Add the following paragraph as 39 bis:

The Amendment Bill to the Alien Registration Law was enacted on 20 May 1992 and came into effect on 8 January 1993. For those permanent residents who have resided in Japan for many years and have established themselves fully in Japanese society (including Korean and other residents who have acquired special permanent residence permits as mentioned below), the fingerprinting system as a means of identification was abolished and replaced by the submission of photographs, signatures and additional information on those permanent residents to the registration authority. Furthermore, the format of the foreign registration certificate, its renewal procedure, and other relevant regulations were also revised.

Paragraph 43 (c), lines 1 and 5

For penal servitude read imprisonment with labour

Paragraph 55, line 3

Delete Kokoku.

Paragraph 71

Replace the paragraph with

In addition to the above-mentioned laws and to the revised Immigration Law, which came into effect in June 1990 and directly punishes these brokers for the crime of assisting illegal employment, the Government, under the following laws, strictly controls recruiters, brokers, etc. who make huge profits by taking part in the employment of illegal workers.

Paragraph 72

Replace the paragraph with:

Those who are involved in using disguised marriages in order to secure employment of foreigners shall be subject to criminal prosecution for the crime of "untrue entry in original of officially authenticated instruments and their use" (arts. 157 and 158).

Paragraph 73

lines 1 and 2

Replace by

Those who forge foreign passports to help foreigners obtain jobs in Japan shall be subject to criminal prosecution for the crime of forgery of a private document and its use

Lines 4 and 5

For shall be arrested for forgery of a private document read shall also be subject to criminal prosecution for forgery of an official document.

Paragraph 83

Lines 2 and 3

For the Disabled read Disabled Persons;

Line 4

For Long-range read Long-term.

Paragraph 85

Line 1

For Central Council for the Physically and Mentally Disabled read Central Council for Physically and Mentally Disabled Persons;

Lines 3 and 8

For the disabled read disabled persons.

Paragraph 95, line 11

For international laws and read statutes concerning the conflict of law and their.

Paragraph 102

Replace the first sentence by

In Japan, the death penalty is applied on a very careful basis and only in case of strict necessity.

Paragraph 110

Replace the table by the following:

	Total Number of Cases	The Way Used			Cases Causing Harm		
		Number of cases when the police officers aimed at targets	Number of warning shoot cases	Number of cases when the police officers fired against targets	Total number of cases causing harm	Number of the dead	Number of the injured
1986	10	1	6	3			
1987	13	3	8	2	3	2	1
1988	10		5	5			
1989	16	4	2	10	3		4
1990	19	4	8	7	4	1	4

Paragraph 120, last line

Before labour delete forced.

Paragraph 122, line 5

For penal servitude or find read imprisonment with labour or fine.

Paragraph 123

Line 3

For penal servitude or fined read imprisonment with labour or fine.

Lines 9 and 10

For penal servitude read imprisonment with labour.

Paragraph 125

Lines 3, 5, 6, 13, and 14

Delete forced.

Lines 9 and 10

For those who have not paid a fine read those who are unable to pay a fine or a minor fine.

Line 10

For a sentence read the sentence.

Paragraph 134

Line 9

Add within the limitation mentioned above after prosecution.

Paragraph 135

Line 4

For certain circumstances read certain unavoidable circumstances.

Paragraph 140 bis

Add the following paragraph as 140 bis

"The Compensation in Juvenile Cases Law" was enacted on 19 June 1992 and came into effect on 1 September 1992. Under the law, the family court may order the State to compensate for physical restraint when a juvenile has subsequently been found not to have committed any delinquent act. As with

compensations under the Criminal Compensation Law or the Suspect's Compensation Regulation, this new law aims at compensating for damages as quickly as possible, even in those cases where physical restraint was not illegal, or where official negligence did not exist. The amount of compensation shall be determined by the family court within the limits of this law on a fixed amount per day basis.

Paragraph 146

Line 1

Insert the date, place or time of after designate.

Line 3

For designate the interview read exercise his power of designation.

Lines 7-10

Replace the third sentence by

The defence counsel can interview the suspect immediately, unless the public prosecutor exercises the power of designation. The defence counsel can also interview the suspect immediately even when the public prosecutor only designates the length of the interview.

Line 10

For should read may.

Paragraph 147, line 5

Replace the second sentence by

If the investigation is substantially hindered by such an interview, for example, when a suspect is being interrogated, or the presence of a suspect is required for the inspection of scene, the public prosecutor may designate the date and time of the interview after consultation with the defence counsel so that the suspect can discuss with his/her counsel as soon as possible.

Paragraph 154, line 3

In a police custodial facility (the facility where unconvicted persons are detained is called a house of detention) should read in a police custodial facility as well as in a house of detention which forms a part of prison designated for detention of unconvicted detainees.

Paragraph 157

Lines 4 and 5

hinder sleep, interrogations takes place should read hinder sleep. Interrogations take place.

Line 7

Insert as much as possible after respected.

Paragraph 163

For The legal framework system read The legal framework, the legal system.

Paragraph 173, line 11

For passed read went through.

Paragraph 186

Line 1

For was enacted read came into effect.

Lines 4 and 5

Replace the second sentence by

Administrative organs hold personal data files, for example, of one's qualifications or one's pension

Line 15

to strive for security and accuracy should read
to ensure the security and accuracy of the personal data files.

Paragraph 220, line 3

art. 790 should read arts. 790 and 791.

Paragraph 234

Insert subtitle Hokkaido Utari Measures prior to this paragraph.